IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WA.No. 1471 of 1999(C)

AGAINST THE JUDGEMENT IN OP.8200/1994 Dated 18/03/1999
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APPELLANT: 2nd RESPONDENT

THE MALANAD CO-OPERATIE AGRICULTURAL DEVELOPMENT BANK LTD. NO.K.352, NEDUMKANDAM, IDUKKI DISTRICT, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.C.J.JOY

RESPONDENTS: PETITIONER AND RESPONDENTS 1 AND 3
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1. ULAHANNAN JOSEPH, CHENNATTU HOUSE, KARIKINTHOLAM, THANKAMONI VILLAGE, IDUKKI DISTRICT.

2. THE SALE OFFICER, THE MALANAD CO-OPERATIE AGRICULTURAL DEVELOPMENT BANK LTD. NO.K.352, NEDUMKANDAM, IDUKKI DISTRICT,

3. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT OF KERALA, TRIVANDRUM.

R3 BY GOVERNMENT PLEADERSMT. A.G.ANEETA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

W.A. No.1471 of 1999

Dated, this the 27th day of June, 2007

JUDGMENT

H.L. DATTU, CJ.

We have carefully gone through the order passed by the learned Single Judge in O.P.No.8200/1994 dated 18th March, 1999. Taking into consideration that a poor agriculturist whose land has been brought to sale for recovery of a paltry sum of Rs.10,000/-, the court has granted some discretionary relief and that relief we do not want to upset. Therefore, the writ appeal requires to be rejected and it is rejected.

2. In view of the order passed in the Writ Appeal, the relief sought in C.M.P. No.3668 of 1999 need not be considered by this court. Accordingly, the said C.M.P. is also rejected.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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